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5 IN THE TULALIP TRIBAL COURT  
6 FOR THE TULALIP INDIAN RESERVATION  
7 TULALIP, WASHINGTON

7 THE TULALIP TRIBES  
8 A Federally-Recognized Indian Tribe,  
9 Plaintiff,  
10 vs.  
11 DOB: Defendant.

No.  
GUILTY PLEA STATEMENT &  
COURT'S FINDINGS & CONCLUSIONS  
Incident No.

12 **FACTS ABOUT ME:**

- 13 1. My true name is: . 2. My age is: .  
14 3. I completed the grade of school. 4. I am enrolled in .  
15 5. I have not consumed any alcohol or non-prescribed drugs in the last 24 hours and I am not now  
16 under the influence of any substance.

17 **MY UNDERSTANDING OF MY RIGHTS:**

18 I understand that in making a "Guilty" plea I am giving up all the rights I now possess as explained on  
19 the Advice of Rights form I read at the beginning of this case and/or was read to me by a Judge. I am  
20 entering a plea of "Guilty" today because I want to accept the Tribes' prosecutor's plea offer and  
21 because I do not want to go to trial on this matter. I understand that by entering a plea of "Guilty"  
today, I am making a decision I cannot later change if I do not like the sentence imposed by the Court.

22 **TODAY, I PLEAD GUILTY TO THE OFFENSE(S) OF:**

- 23 **COUNT 1:** TTC# .  
24 **COUNT 2:** TTC# .  
25 **COUNT 3:** TTC# .  
26 **COUNT 4:** TTC# .  
27

1 The elements of the crime(s) to which I am pleading guilty are [ ] set out in the charging document as  
2 to count(s): \_\_\_\_\_, and/or [ ] as follows as to count(s) \_\_\_\_\_:

3  
4  
5 **IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND:**

6 1. The Tribes' Prosecutor will make the following sentencing recommendation:

7 **JAIL:** CT 1: \_\_\_\_\_ days/ \_\_\_\_\_ suspended **FINE:** \$ \_\_\_\_\_; suspended: \$ \_\_\_\_\_

8 CT 2: \_\_\_\_\_ days/ \_\_\_\_\_ suspended \$ \_\_\_\_\_; suspended: \$ \_\_\_\_\_

9 CT 3: \_\_\_\_\_ days/ \_\_\_\_\_ suspended \$ \_\_\_\_\_; suspended: \$ \_\_\_\_\_

10 CT 4: \_\_\_\_\_ days/ \_\_\_\_\_ suspended \$ \_\_\_\_\_; suspended: \$ \_\_\_\_\_

11 Total imposed: \_\_\_\_\_ / Total suspended: \_\_\_\_\_ Total imposed: \$ \_\_\_\_\_; Total suspended: \$ \_\_\_\_\_

12 All jail time to be served consecutively to all other commitments. Court/ Incarceration costs: \_\_\_\_\_.

13 Exclusion: \_\_\_\_\_ days/months; \_\_\_\_\_ days/months [ ] suspended

14 Publication in See-Yaht-Sub: \_\_\_\_\_ [ ] suspended

15 The Court will retain jurisdiction for \_\_\_\_\_ months.

16  
17 **BALANCES OF MY SENTENCE ARE SUSPENDED ON THE FOLLOWING CONDITIONS:**

18 [ ] No further violation of Tribal, state or federal criminal laws.

19 [ ] Write an apology letter to \_\_\_\_\_ by \_\_\_\_\_.

20 [ ] Obtain a [ ] CD [ ] MH evaluation within 24 hours & successfully complete all treatment  
21 recommendations.

22 [ ] Enroll in the Tulalip Domestic Batterer's Treatment Program within 24 hours and successfully  
23 complete recommended treatment.

24 [ ] No possession/consumption of alcohol or illegal non-prescribed drugs.

25 [ ] Permit UA/PBT/hair test.

26 [ ] No contact with: \_\_\_\_\_.

27 [ ] Comply with all Court orders regarding contact.

1 [ ] No possession of firearms.  
2 [ ] Pay Restitution of \$\_\_\_\_\_ to the Court for distribution to: \_\_\_\_\_

3 [ ] Other:  
4

5 [ ] The above conditions to be supervised by Tulalip Probation. [ ] Defendant shall report to Tulalip  
6 Probation within 24 hours of release.

7 2. The Court will consider this recommendation when it sentences me, but the Judge is not  
8 obligated to follow it and can, in fact, sentence me to any sentence up to the maximums for these  
9 offenses, which is a total fine of \$\_\_\_\_\_, a total jail sentence of \_\_\_\_\_ days, or both.

10 **DEFENDANT’S GUILTY PLEA**

11 I plead guilty to count(s) \_\_\_\_\_ as charged in the complaint filed in this case. I have received a  
12 copy of that complaint. [ ] The complaint or citation and notice was orally amended and I waive filing  
13 of a written amended complaint or citation and notice. I make this plea freely and voluntarily.

14 **Statement of Facts:** The following is my statement of what I did that makes me guilty of the crime(s) to  
15 which I am pleading guilty today:  
16  
17  
18

19 [ ] In count(s) \_\_\_\_\_, I committed the offense(s) against an intimate partner or a family or  
20 household member as defined in TTC 4.25.100.

21 [ ] Instead of making a statement, I agree that the police report(s) and/or statement of probable cause  
22 supplied by the prosecution to establish a factual basis for the plea contain facts sufficient for the Court  
23 to find me guilty, and my signature below confirms my stipulation to such facts.

24 **THE CIRCUMSTANCES OF MY DECISION:**

25 The decision to elect to make a Guilty plea is my own decision. No one has made any promises about  
26 what will happen to me - other than the prosecutor’s agreement to make the recommendation to the  
27 Court outlined above. No one has threatened me with any action if I do not make this plea. I

1 understand all the paragraphs of all the pages that lead up to this point. If a lawyer represents me at  
2 this point, I agree the lawyer has discussed this document, this whole procedure, and the consequences  
3 of this plea with me and that I have had an opportunity to ask questions of the lawyer. I understand that  
4 upon submitting this plea, the judge may have some questions for me and that I will be allowed to ask  
5 the judge any questions I may have about this procedure as well.

6 Dated:

7 \_\_\_\_\_  
8 DEFENDANT

9 I have discussed this document and procedure with the defendant and believe the defendant is  
10 competent and understands the statements in the document and the consequences of electing to plead  
11 Guilty.

12 Dated:

13 \_\_\_\_\_  
14 DEFENDANT'S LAWYER

15 **THE COURT'S FINDINGS and CONCLUSIONS:**

16 Based on the statement presented on the defendant's behalf in open court and after discussing with the  
17 defendant the defendant's understanding about the basis for the plea, the consequences of the plea, and  
18 the circumstances of the plea, all as described in the foregoing pages which the defendant has  
19 acknowledged as understood, this Court finds as follows:

- 20 1. Defendant's plea to the charge(s) is/are a knowing, intelligent and voluntary choice among  
21 alternatives, made by a person who understands the charge(s), the rights forfeited and the  
22 consequences of this plea.
- 23 2. In addition, based upon my review of the police incident reports and any statements attached,  
24 there is a strong factual basis for the plea.
- 25 3. Therefore the plea is validly made and is accepted and the Court may impose sentence at this  
26 point.

1 Dated:

2 JUDGE, TULALIP TRIBAL COURT

3 Presented by:

4 TULALIP TRIBES,  
5 Office of the Reservation Attorney,

6 Sharon Jones Hayden, Prosecutor WSBA #23839  
7 Brian Kilgore, Prosecutor WSBA #44275  
8 Megan James, Prosecutor WSBA #49769  
9 Court Services Division

10 Defense Counsel